



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

330 C Street, S.W., Washington, DC 20201 | [www.acf.hhs.gov](http://www.acf.hhs.gov)

April 16, 2018

Dear Tribal Leader:

The Children's Bureau within the Administration for Children and Families (ACF) is requesting tribal consultation on potential changes to the Adoption and Foster Care Analysis and Reporting System (AFCARS).

In particular, as described in an Advance Notice of Proposed Rulemaking (ANPRM) published in the Federal Register on March 15, 2018 (see [83 FR 11449](#)), ACF is seeking input on potentially streamlining and removing any undue burden related to reporting revised AFCARS data elements that were promulgated in a final rule published in the Federal Register on December 14, 2016 (see [81 FR 90524](#)). The final rule substantially increased the number of data points that state and tribal title IV-E agencies must report. Of particular interest to tribal leaders, the changes also included requirements for state title IV-E agencies to report data for the first time related to the Indian Child Welfare Act of 1978 (ICWA).

We recognize that while states have many years of experience in reporting AFCARS data, tribes may not be as familiar with AFCARS. To prepare for consultation, the Children's Bureau is offering a briefing webinar for tribal leaders and/or members of your staff. The briefing webinar will be an opportunity for tribal leaders and members of your staff to learn more about AFCARS, including current data reported by states since the 1990's and the changes to AFCARS that were promulgated in December 2016, but have not yet been implemented. During the briefing webinar, the Children's Bureau will also review the purpose of the ANPRM notice. Participation in this briefing may assist you and your staff in providing context that will allow for a more meaningful exchange during tribal consultation.

The briefing webinar to learn more about AFCARS will be held on **Wednesday, April 25, 2018 from 2:00 pm – 3:30 pm (EDT)**. If you are interested in participating in this webinar, please register at:

**[https://acf.adobeconnect.com/afcars/event/event\\_info.html](https://acf.adobeconnect.com/afcars/event/event_info.html)**

Tribal Consultation seeking input on the ANPRM and potential changes to AFCARS will be held through two teleconference calls on the following dates and times.

Tuesday, May 15, 2018 @ 2:00 pm – 3:30 pm (EDT).

Please register here: <https://acf.adobeconnect.com/efdd2gqe733x/event/registration.html>

Wednesday, May 16, 2018 @ 2:00 pm – 3:30 pm (EDT)

Please register here: <https://acf.adobeconnect.com/enhysqrbcyal/event/registration.html>

For both consultations, the call-in number and passcode are: 877-917-3403, Passcode: 2498350. *(Please note, if there are a small number of participants on the call, the call may end sooner than 3:30 p.m.)*

Both Tribal consultation teleconference calls are open to all tribal leaders or their designees and may address any aspect of the ANPRM's request for comments on AFCARS data collection, including data elements relating to ICWA that would be reported by states and all other AFCARS elements that would be reported by both states and tribes operating title IV-E programs. Overall, we are interested to hear both recommendations on data elements to retain with a justification for using the data at the national level and recommendations on any data elements to remove because they may be either overly burdensome for title IV-E agencies to report or may not be reliable or necessary at the national level.

In addition to participating in the tribal consultation conference calls, the Children's Bureau encourages tribal leaders to submit comments in writing in response to the ANPRM, as only written comments may be included in the regulatory record. **The deadline for the receipt of written comments in response to the ANPRM is June 13, 2018.**

You may submit written comments to the ANPRM, identified by the Federal Register docket number 2018-05042 and/or RIN number 0970-AC72 in any of the following three ways:

- Federal eRulemaking Portal: Use this link for the ANPRM, click the "Comment now!" button and follow the instructions for submitting comments: [https://www.regulations.gov/document?D=ACF\\_FRDOC\\_0001-0081](https://www.regulations.gov/document?D=ACF_FRDOC_0001-0081). The Children's Bureau recommends use of this method.
- Email: [CBComments@acf.hhs.gov](mailto:CBComments@acf.hhs.gov). Include docket number and/or RIN number in subject line of the message.

- Mail: Mail written comments to: Kathleen McHugh, United States Department of Health and Human Services, Administration for Children and Families, Director, Policy Division, 330 C Street SW, Washington, DC 20201. Please allow sufficient time for mailed comments to be received before the close of the comment period.

Additional Information on the AFCARS ANPRM, as well as a related notice proposing to delay for an additional two fiscal years implementation of the AFCARS December 2016 final rule, is provided in Information Memorandum [ACYF-CB-IM-18-01](#), dated March 16, 2018, which is posted on the Children's Bureau's website at <https://www.acf.hhs.gov/cb/resource/im1801>.

If you have any questions regarding the upcoming briefing webinar or tribal consultation teleconference calls, please contact Cheryl Speed of the Children's Bureau at [Cheryl.Speed@acf.hhs.gov](mailto:Cheryl.Speed@acf.hhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Milner". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

Jerry Milner  
Associate Commissioner  
Children's Bureau